

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

A.B., a minor, by her next friends)	
Julie B., mother, and Ross B., father)	
)	
v.)	NO. 3:21-0600
)	Richardson/Holmes
GOVERNOR BILL LEE, in his official)	
capacity as Governor of Tennessee, et al)	

O R D E R

A status/case management conference was held on January 21, 2022. Counsel participating were: Tricia Herzfeld, Sean Mooney, Jason Starr, Erez Lieberman, Adam Lurie, and Benjamin Kurland for Plaintiff; Alex Rieger and Matthew Cloutier for the State Defendants; and, Andrew Sellers and Christopher Hayden for the Wilson County Defendants. From discussion during the status/case management conference, and review of the entire record, the case management schedule and plan is modified as follows:


1. Defendants must answer or otherwise respond to the complaint by no later than **February 11, 2022**. Motions to dismiss pursuant to Fed. R. Civ. P. 12 must be filed and briefed in accordance with that rule and with Local Rule 7.01, except that any response to a motion to dismiss must be filed within 21 days of the filing of the motion and optional replies may be filed within 14 days of the filing of the response. All other provisions of Local Rule 7.01 shall apply.
2. Neither discovery nor case management deadlines are stayed during the pendency of dispositive motions, unless expressly ordered by the Court.
3. As directed by Rule 5(d)(1) of the Federal Rules of Civil Procedure, discovery requests and responses must not be filed until they are used in the proceeding or the court orders

filing. Fed. R. Civ. P. 5(d)(1); *see also* Advisory Committee Notes to 2002 amendments (discovery requests include deposition notices). No further discovery notices, served discovery, or discovery responses shall be filed by any party in this case without a proper purpose, such as in connection with a summary judgment motion or a permitted discovery motion or other order of the Court. The Court will strike any additional improper discovery filings and will consider other appropriate relief.

4. The parties should proceed with scheduling (or tentatively scheduling) fact witness depositions to ensure compliance with the March 31, 2022 fact discovery cutoff deadline and with the April 14, 2022 deadline for filing a joint case resolution status report.

5. All other case management deadlines and provisions found in prior orders and not modified herein remain in full force and effect.

It is SO ORDERED.


BARBARA D. HOLMES
United States Magistrate Judge